

UNITED STATES DISTRICT COURT

for the

District of Kansas

United States of America)	
v.)	
Lisandro Clara-Fernandez)	Case No: <u>12-40006-01-RDR</u>
)	USM No: <u>21673-031</u>
Date of Previous Judgment: <u>10/01/2012</u>)	<u>Kirk Redmond</u>
<i>(Use Date of Last Amended Judgment if Applicable)</i>)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of the defendant the Director of the Bureau of Prisons the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

DENIED. GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 54 months is reduced to 43.5.

I. COURT DETERMINATION OF GUIDELINE RANGE *(Prior to Any Departures)*

Previous Offense Level: <u>31</u>	Amended Offense Level: <u>29</u>
Criminal History Category: <u>I</u>	Criminal History Category: <u>I</u>
Previous Guideline Range: <u>108</u> to <u>135</u> months	Amended Guideline Range: <u>87</u> to <u>108</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other *(explain)*:

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 10/01/2012 shall remain in effect.

IT IS SO ORDERED.

Order Date: 02/25/2015

s/RICHARD D. ROGERS
Judge's signature

Effective Date: 11/01/2015
(if different from order date)

Richard D. Rogers, United States District Judge
Printed name and title